

**United States Bankruptcy Court  
for the  
Western District of Oklahoma**

**PRO SE DEBTORS  
GUIDE TO FILING REQUIREMENTS**



**Grant Price, Court Clerk  
215 Dean A. McGee Avenue  
Old Post Office Building  
First Floor  
Oklahoma City, Oklahoma 73102**

**(405) 609-5700**

**[www.okwb.uscourts.gov](http://www.okwb.uscourts.gov)**

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# **GUIDE TO FILING REQUIREMENTS**

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# A GUIDE TO FILING REQUIREMENTS

## PREFACE

As a service to the public, the United States Bankruptcy Court for the Western District of Oklahoma has compiled this Guide to assist in the processing of pleadings, bankruptcy cases and adversary proceedings. Under no circumstances should this Guide be used as a substitute for the applicable state, federal and/or local rules which govern this Court.

Please read the Guide carefully. Should you have any questions, you may call or appear in person at the Clerk's Office, Monday through Friday from 8:30 a.m. to 4:30 p.m., excluding holidays. (405) 609-5700.

For emergency filings, a drop box is available after hours from 4:30 p.m. to 6:00 p.m. Drop box filings should be placed in an envelope prior to placing in the drop box. Cash should not be left in the drop box at any time.

**If a file-stamped return copy is requested, a self-addressed, stamped envelope, of appropriate size with sufficient postage must accompany all petitions, motions, applications, notices, proof of claim forms and requests received by mail.**

All pleadings and documents filed must caption the bankruptcy (and the adversary if applicable) case name, number, chapter and judge and must contain original signatures and the complete address, telephone number and bar roll number of the attorney.

Orders must be filed as separate pleadings and must be properly captioned.

**Discharge in all chapters for individuals is predicated on full payment of all current and back child support obligations.**

**The time period for receiving an order of discharge in a chapter 7 case is now eight years.**

## **GENERAL INFORMATION ABOUT FILING A BANKRUPTCY CASE**

The law governing bankruptcy cases and the rights of debtors and creditors in bankruptcy cases are title 11 of the United States Code, (11 U.S.C. § 101, et seq.). , Usually referred to as the “Bankruptcy Code.”

In addition, the procedural aspects of a bankruptcy case, including many important time limits, are governed by the Federal Rules of Bankruptcy Procedure. Most courts have local rules that must be observed by any party involved in a bankruptcy case in that court.

A debtors who have decided to file a bankruptcy case need to assemble and complete a number of forms. Most of these forms are Official Forms, but some may be Procedural Forms.

Filing a bankruptcy case is a complex undertaking. Anyone contemplating such a step should consult an attorney. If the extensive documents required in a bankruptcy case are not completed properly, or if further steps in the bankruptcy process are not taken on time, a debtor can lose property or other important rights unnecessarily.

General information on chapters 7, 11, 12, and 13 of the Bankruptcy Code and definitions of bankruptcy terminology are available in the form of a Public Information Series, comprising a series of fact sheets on these topics. Anyone may obtain the Public Information Series from the Administrative Office of the United States Courts, Bankruptcy Judges Division, One Columbus Circle, N. E., Washington, D.C. 20544. The fact sheets have been combined in the publication “Bankruptcy Basics,” which is available at the federal judiciary’s Internet website, “[www.uscourts.gov](http://www.uscourts.gov).”

An individual, of course, has the right to file a bankruptcy case without employing an attorney. Before doing so, the debtor should read a “self-help” book on filing bankruptcy or other reference materials, which are available in many libraries and bookstores. Many public libraries have reference sections containing copies of the Bankruptcy Code, Bankruptcy Rules, state laws, and additional books that can help explain them. A debtor should make sure to read only a CURRENT edition of the Bankruptcy Code and the Bankruptcy Rules, as both the Bankruptcy Code and the Bankruptcy Rules are amended frequently. The instructions in this Manual are necessarily brief and general. They should not be used as a substitute for reference to the applicable laws and rules but only as a supplement to them.

**THE DEBTOR SHOULD READ ALL INSTRUCTIONS THOROUGHLY BEFORE BEGINNING TO FILL OUT ANY FORMS. EXTRA COPIES OF EACH FORM SHOULD BE MADE TO USE AS WORKSHEETS. A WORKSHEET SHOULD BE COMPLETED FOR EACH FORM. AFTER THE DEBTOR HAS COMPLETED AND REVIEWED EACH WORKSHEET AND IS SATISFIED THAT THE FORMS HAVE BEEN COMPLETED CORRECTLY, THE DEBTOR SHOULD TRANSFER THE INFORMATION FROM EACH WORKSHEET TO A CLEAN BLANK FORM. THE COMPLETED FORMS SHOULD BE SET ASIDE FOR SIGNING AND FILING.**

**THE DEBTOR SHOULD FILL IN ALL THE BLANK SPACES AND LINES ON EACH FORM.** Some forms (Schedules E, F, G, and H, and the Statement of Financial Affairs) contain boxes for a debtor to use to state that the debtor has nothing to report or a question does not apply. On all other forms, a debtor should either insert "N/A" or "None" in response to any question or request for information that is not applicable or should cross out a printed statement that does not apply and initial the cross-out.

**IT IS VERY IMPORTANT THAT THE DEBTOR SIGN ALL DOCUMENTS IN ALL THE REQUIRED PLACES.** If a married couple files a joint case, both spouses must sign in all required places. If the debtor is represented by an attorney, the attorney must sign most documents. See Fed. R. Bankr. P. 9011. Any bankruptcy petition preparer also must sign in the spaces provided.

**THE OFFICIAL FORMS OF THE PETITIONS, SCHEDULES, AND STATEMENT OF FINANCIAL AFFAIRS (FORMS 1, 5, 6, AND 7) ARE TO BE PRINTED ON ONE SIDE OF THE PAPER ONLY.** Compliance with these standards will facilitate both the securing of the papers in the case file and review of the file by the public.

In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties will refrain from including, or will partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the court, including exhibits thereto, unless otherwise ordered by the Court or required by statute, the Federal Rules of Bankruptcy Procedure or the Official Bankruptcy Forms.

- ! **Social Security numbers.** If an individual's Social Security number must be included in a pleading, only the last four digits of the number should be used.
- ! **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of the Official Bankruptcy Form 6, list relationship and age of the debtor's dependents (i.e., son, age 6).
- ! **Dates of birth.** If an individual's date of birth must be included in a pleading, only the year should be used. On Schedule I of Official Bankruptcy Form 6, list age of each of the debtor's dependents.
- ! **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used. On Schedules D, E, and F of Official Bankruptcy Form 6, debtors, if they so choose, may include their full account numbers to assist the trustee and creditors.
- ! The petition, **Official Form 1**, will contain only the last four digits of individual

debtors' Social Security numbers (See attached revised form.)

- ! Amendments to Rule 1007 will require debtors to submit a verified statement containing the full nine-digit Social Security number. (**Form B21**). This document will be maintained by the clerk, but it will not be a part of the official court file and will not be made a part of the public record.
- ! Rule 2002 will be amended to require the clerk to include the debtor's full Social Security number in the copy of the Section 341 meeting of creditors notice. Official Form 9 is sent to creditors, the debtor, the United States trustee or bankruptcy administrator. The copy of the Section 341 notice included in the court case file, however, will contain only the last four digits of the Social Security number.
- ! Official Form 16A, the full caption, will be amended to include only the last four digits of any debtor's Social Security number. Accordingly, subsequent notices (after the Section 341 notice) will include either the last four digits or none, if Official Form 16B, the short caption, is used.
- ! Filers ---- ***not the clerk*** ---- are responsible for redacting Social Security numbers and other personal identifiers such as dates of birth, financial account numbers, and names of minor children in documents they file with the court.
- ! The court will use the full Social Security number in its computer system, but users of the system outside the Court will be able to see only the last four digits of the Social Security number. Users will be able to input and search on all nine digits of the Social Security number, but all screens will display only the last four digits.
- ! Bankruptcy petition preparers are still required to disclose the entire Social Security number of the individual who prepares the document. Notation is made "(Required by 11 U.S.C. Sec. 110(c))."
- ! **Notice is further given that the clerk is not responsible for the redaction of Social Security numbers or other personal data identifiers from documents filed with the court. This responsibility rests completely with the filer of the document. Accordingly, the United States Trustee, case and standing trustees and attorneys practicing in this court should review notices, reports and other materials prepared by their offices, which will become part of the official case file, to ensure that personal identifiers no longer required are not included in such submissions. Documents filed with the court will not be returned for redaction and will become part of the public record.**

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## **REQUIREMENTS FOR ALL PETITIONS**

1. All petitions, lists, schedules, statements and other pleadings should comply substantially with the Official Forms prescribed by the Federal Rules of Bankruptcy Procedure. All questions on the Official Forms must be answered.
2. Only an individual and that individual's spouse may file a joint petition. Individuals must submit an Official Form B21 (Social Security Number Verification) at the time of filing a petition. [Rule 1007]
3. The debtor(s) complete street address, city, state and zip code. The debtor(s) mailing address, if different from the street address.
4. Corporations and individuals must file separate petitions. Corporations and individuals CANNOT file on the same petition.
5. Corporations filing bankruptcy must be represented by counsel.
6. All signature blocks and execution dates must be completed. Counsel for debtor(s) must identify their bar roll number in the signature block.
7. All creditors' addresses must be complete with street, city, state and zip code and must comply with all other requirements concerning the mailing matrix. **The mailing matrix must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing). See Appendix for guidelines.**
8. Petitions filed pro se (without an attorney) must also include the debtor(s) telephone number. The filing fee must be paid by cash, money order, cashiers' check. No personal checks from the debtor(s) will be accepted.
9. All money orders or cashiers' checks should be made payable to the United States Bankruptcy Court.

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## **ADVERSARY PROCEEDINGS**

An Adversary Proceeding is commenced by the filing of a Complaint. Its purpose is to settle disputes and questions of law that may arise during the administration of the bankruptcy estate. Adversary Proceedings are assigned Adversary Proceeding numbers different and separate from the Bankruptcy case number. An Adversary Proceeding is assigned to the same judge assigned to the Bankruptcy Petition. All pleadings and documents filed in an adversary proceeding should bear the adversary caption with both the bankruptcy and adversary case numbers.

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## **CONSOLIDATION OF CASES**

Consolidation involves the joining of two or more cases for purposes of combining the assets and liabilities of separate estates into a single pool to pay creditors. Once cases have been consolidated, they are treated as one case for all purposes. Therefore, a single docket sheet and single claims register would be maintained.

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## **CONSUMER CREDIT COUNSELING**

An individual may not be a debtor unless such individual had, during the 180-day period preceding the date of filing of the petition by such individual, received from an approved nonprofit budget and credit counseling agency an individual or group opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

The Bankruptcy Court Clerk will maintain a list of names of approved nonprofit budget and credit counseling agencies in the Western District of Oklahoma on the Courts web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov) and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee's website [www.usdoj.gov/ust/](http://www.usdoj.gov/ust/) (11 U.S.C. § 111)

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## **CONVERSION of CASES**

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### **CONVERSIONS REQUIRING MOTION AND ORDER:**

1. Conversion from chapter 7 to chapters 11, 12, or 13, if by the debtor, must be made by motion and order.
2. Conversion from chapter 7 to chapter 11, if by a party in interest, must be made by motion and order.
3. Conversion from chapter 11 to chapter 7, if by a debtor, must be made by motion and order.
4. Conversion from chapter 11 to chapter 7, if by a party in interest or the U.S.



- Trustee, must be made by motion and order.
5. Conversion from chapter 11 to chapter 12 or 13, if by debtor, must be made by motion and order.
  6. Conversion from chapter 12 to chapter 7, if by a party in interest, must be made by motion and order.
  7. Conversion from chapter 13 to chapter 7, if by a party in interest, must be made by motion and order.
  8. Conversion from chapter 13 to chapters 11 or 12 must be made by motion and order.

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#### **CONVERSIONS REQUIRING NOTICE:**

1. Conversion from chapter 12 to chapter 7, if by debtor, may be made by notice.
2. Conversion from chapter 13 to chapter 7, if by debtor, may be made by notice.

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#### **CONVERSION/DISCHARGE ISSUES**

1. Instead of dismissing a chapter 7 case, the Court may, with the debtor's consent, convert the case to a chapter 11 or 13 cases. In making this determination, the Court may examine whether a presumption of abuse exists.
2. Provisions similar to the means test will be used.
3. The Court may order the debtor to reimburse the trustee for all reasonable costs in prosecuting a motion to convert, including reasonable attorneys' fees.
4. The Court may assess a penalty against a debtor's attorney for violating Rule 9011.
5. The Court may award reasonable costs to a debtor who prevails on a motion to convert.

#### **DECONSOLIDATION OF JOINT DEBTORS PRIOR TO CONVERSION**

It sometimes occurs that a husband and wife originally file a joint petition in one chapter. Subsequently one or the others, but not both, wish to convert to a different chapter. Pursuant to Local Rule 1015, a joint case filed pursuant to 11 U.S.C. § 302, will be deconsolidated prior to conversion of the case to another chapter for one of the joint debtors. Requests for deconsolidation will be made by motion, filed and served pursuant to Rules 9007 and 9013. Deconsolidation will be effective only upon both the entry of an order and the payment of any applicable fees

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## **FINANCIAL MANAGEMENT INSTRUCTIONAL COURSES**

1. A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy.
2. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration.
3. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov) and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee's website at [www.ust.uscourts.gov](http://www.ust.uscourts.gov).

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## **FORMS**

Copies of all required forms can be obtained on the United States Bankruptcy Court for the Western District of Oklahoma web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov). Use the forms for the new Bankruptcy Reform Act 2005.

## **JOINT PETITION**

1. Only one filing fee is required to be paid in a case commenced by a joint petition.
2. Official Form B21 is required to be submitted at the time of filing the petition.
3. Only an individual and that individual's spouse may file a joint petition. (11 U.S.C. § 302(a).)
4. If a debtor files a petition as an individual and the spouse of that debtor subsequently decides to seek relief in bankruptcy, there is no authority under which the original filing may be either amended or converted retroactively to a joint filing. The spouse must file a separate petition and pay a second filing fee in full. The commencement of the initial case constitutes an order for relief as of the date of filing. To permit a spouse to later join the original petition could adversely affect the rights of parties in interest in the spouse's estate. Please note, however, that the court may order the joint administration of the two separately docketed cases, if that procedure is deemed to be advisable.

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## **OTHER BANKRUPTCY LAW CHANGES**

1. Certain retirement accounts are now exempt from bankruptcy.
2. Household goods are specified.
3. The valuation of real property, including burial plots, is modified. Homestead exemptions are limited.
4. The total amount of "luxury goods," goods or services not reasonable necessary for the

- support and maintenance of the debtor or a dependent of the debtor, that may be discharged in bankruptcy is \$ 500.00.
5. Certain educational loans are not dischargeable.
  6. Loans made against a pension, profit-sharing, stock bonus, or other specified plans are not dischargeable.
  7. A discharge does not operate as an “injunction” against commencing or continuing actions to recover debts, whether or not the discharge is waived, if:
    - a. The creditor retains a security interest in the real property/residence of the debtor;
    - b. The act is in the ordinary course of business between debtor and creditor;
    - c. The action is limited to seeking periodic payments associated with a valid security interest
  8. Discharge may be postponed when, after notice and hearing held not more than 10 days before the date of the entry of discharge, any proceeding is pending in which the individual debtor may be found guilty of a specified felony.
  9. The Court must convert cases when requested by a real party in interest unless the request to convert is not made in the best interests of the creditors and the estate. The hearing on the motion to convert will commence not later than 30 days after filing of the motion, unless the movant agrees to a continuance.

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## **PENALTIES**

1. Bankruptcy petition preparer—fines and sanctions for violations of the law or for giving legal advice.
2. Budget or Credit Counseling agency—for revealing that a person has received counseling
3. Debtor—inclusion of materially false, fictitious, or fraudulent information in the petition may result in dismissal of the petition. The Court, on motion of the debtor, will seal the records relating to the petition and all references to the petition.
4. Debtor—failure to provide tax returns to the trustee and requesting creditor results in dismissal of case unless the debtor demonstrates that the failure to comply was beyond the control of the debtor.
5. Debtor(s)(voluntary individual, not business, chapter 7 or 13) failure to file any all required information within 45 days of filing the petition results in dismissal of the case on the 46<sup>th</sup> day (May is extended for 45 additional days by court order.) The Court may also upon motion of the trustee filed before the expiration of the applicable time period decline to dismiss the case if the Court finds the debtor attempted in good faith to file all required information and that the best interests of the creditors would be served by declining to dismiss
6. Debtor—if debtor fails to file the required return or to obtain an extension within 90 days after a request is filed by the taxing authority, the Court will convert or dismiss the case, whichever is in the best interests of the creditors
7. Debtor—chapter 13 case will be dismissed or converted to chapter 7 if chapter 13 debtor fails to comply with time frame for submission of tax returns

8. Debtor's Counsel—reimbursement to trustee for legal fees in prosecuting a dismissal or conversion motion if the Court finds that counsel's filing under chapter 7 was in violation of certain bankruptcy rules
9. Debt relief agency—for failing to comply with provisions of the bankruptcy laws, failing to file necessary or required paperwork, disregarding the material requirements of the law or the federal bankruptcy rules
10. Creditor—for violation of stay for failure to comply with § 542 and 543 if the creditor's conduct occurs after receipt of notice of the order for relief (at a preferred address)
11. Creditor—on the motion of the debtor and after hearing, the Court may reduce an unsecured consumer claim based in whole or part on an unsecured consumer debt by not more than 20% if the claim is filed by a creditor who unreasonably refused to negotiate a reasonable alternative repayment schedule.

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## **REAFFIRMATIONS**

1. Specific language must be included in the reaffirmation agreement.
2. If the debtor was represented by an attorney at the time of reaffirmation, the agreement is effective when filed with the Court. Language for the Court order approving the reaffirmation agreement is specified: "The court grants the debtor's motion and approves the reaffirmation agreement described above."

## **HARDSHIP REAFFIRMATIONS**

1. Until 60 days after an agreement is filed with the Court, a reaffirmation agreement is presumed to be a "hardship reaffirmation" if the debtor's monthly income, less the debtor's monthly expenses as shown on completed and a signed statement in support of the agreement, is less than the scheduled payments on the reaffirmed debt.
2. The presumption of hardship will be reviewed by the Court.
3. The presumption may be rebutted in writing by the debtor if the statement includes an explanation that identifies additional sources of funds to make the payments as agreed under the terms of the reaffirmation.
4. If the presumption is not satisfactorily rebutted, the Court may disapprove the hardship reaffirmation, following notice to the debtor and creditor and a hearing on the issue. The hearing must be conducted prior to the entry of the debtor's discharge.
5. The hardship reaffirmation provisions do not apply where the creditor is a credit union.

## **REOPENING OF CASES**

1. When a motion to reopen a case under the Bankruptcy Code is filed, the filing fee prescribed by 28 U.S.C. § 1930(a) must be collected unless the reopening is to correct an

administrative error or to file adversary proceedings to determine dischargeability of a debt. Fed. R. Bankr. Pro. 4007(b). The reopening fee to be charged is the same as the filing fee in effect for commencing a new case on the date of reopening. Trustees are subject to the fee unless the fee is waived or deferred. Neither the \$39.00 administrative fee nor the \$15.00 trustee surcharge fee is collected.

## **STAY PROVISIONS**

1. The following actions are not stayed:
  - a. Civil actions
  - b. Paternity actions
  - c. Domestic support actions
  - d. Child visitation or custody actions
  - e. Divorce and property division actions
  - f. Domestic violence actions
  - g. Pension and retirement accounts
  - h. Actions to enforce a lien against or security interest in real property
  - I. Set-off of income tax refunds
  - j. If a single or joint case is filed by or against a debtor who is an individual and if two or more single or joint cases of the debtor were pending within the previous year but were dismissed, other than a case refilled under section 707(b)
2. The stay is shortened to 30 days if:
  - a. A single or joint case is filed by or against an individual debtor in a chapter 7, 11, or 13 case and if a single or joint case of the debtor was pending within the preceding one year period but was dismissed, other than a case re-filed under a chapter other than chapter 7 after dismissal under § 707(b)
  - b. The stay may be extended upon motion of a party in interest and an order of a judge as to any and all creditors if the party in interest demonstrates that the filing is in good faith
3. As to secured personal property or an unexpired lease for personal property in a chapter 7 case, the stay is terminated if the debtor is an individual who fails to timely file a statement of intention, to redeem, or to reaffirm the debt on the personal property within 45 days after the first meeting of creditors, unless otherwise ordered by the Court.
4. The stay terminates on the date that is 60 days after a request is made by a party in interest unless the Court sets another date for termination of the stay.
5. On request of a party in interest, the Court will enter an order stating that the automatic stay has been terminated.
6. As to rent obligations, the debtor must indicate on the bankruptcy petition that an order of eviction has been obtained by the Lessor. The debtor will provide the name and address of the Lessor obtaining the pre-petition eviction judgment on the petition and on any certification under this law. Certification must include:
  - a. Whether a judgment for possession has been obtained before the petition filing date;
  - b. Whether circumstances exist under which, the debtor would be permitted to cure The entire monetary default giving rise to the eviction judgment;
  - c. Whether Debtor has made the appropriate deposit with the Court Clerk.
7. Rent provisions do not apply to small business and involuntary cases involving any collusion debtor cases.
8. Are not affected by the assumption of a lease by the debtor with the assent of the creditor.



## AMENDMENTS TO THE PETITION

### Requirements:

#### I. Caption Sheet.

- A. All amendments to the petition, statements, lists or schedules must have a caption sheet with the title "AMENDMENT TO [name the petition statement, list, or schedule being amended]."
- B. The caption sheet must have an original signature(s).

#### II. Amendments of Schedules.

- A.. Amendments of amounts must be totaled on the amended schedule **and** on the Summary of Schedules.
- B. Declaration Signature of Debtors is required.
  - 1. All amendments must be signed and verified by the debtor(s) in the same manner as required on the original Official Form 6 Declaration Page.

#### III. Additional Filing Fee

- A. The clerk must collect a fee for:
  - 1. Each amendment to a debtor's schedule D, E, or F.
  - 2. List of creditors ( Mailing Matrix). **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing)**
- IV. The Fee is Assessed Per Filing: If an amendment contains more than one change to the list of creditors, the clerk may charge only one fee.
- V. The clerk must charge a fee to add creditors, delete creditors, change the amount of a debt, or change a classification of a debt.
- VI. *No fee is required when the nature of the amendment is to correct the address of a creditor or add the name and address of an attorney for a listed creditor.*
- VII. Amendment to the Mailing Matrix or List of Creditors.
  - A. If an amendment contains additional creditors, the debtor must submit an amended mailing matrix. **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing).** See Appendix for guidelines.
  - B. Only the creditors being added are to be listed.
  - C. Addresses for the debtor and the attorney for the debtor ARE NOT TO BE LISTED as of May 1, 1992.
  - D. Follow the current mailing matrix requirements -
    - 1. Creditors' listed in ALL CAPS, starting one (1) inch from the top of the page and One (1) inch from left margin
    - 2. No punctuation marks are to be used
    - 3. Three blank lines are to be used between creditors
    - 4. Fonts should be Arial 12 point to 14 point
    - 5. **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing.)**

- 6      **Pursuant to Bankruptcy Rule 1009, the debtor(s) must serve notice of any amendment on the trustee and on any entity affected, and file a certificate of service.**

**VIII. COPY REQUIREMENTS FOR AMENDMENTS**

Chapter 7 requires Original and three copies for the Court.

Chapter 11 requires Original and six copies for the Court.

Chapter 12 requires Original and six copies for the Court.

Chapter 13 requires Original and five copies for the Court.

- IX.    **If the filer requires a file stamped copy to be returned, please add one copy (or more if preferred) to the list above, along with a self-addressed Stamped Envelope of sufficient size for the copies requested.**
- X.     See the attached documents for an example of the preparation of an amendment.



**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public  
Debtor(s)

Case No. XX-XXXXXX-XX

**AMENDMENT TO SCHEDULES A & D**

Schedule A -- Amended to include real property and legal description

Schedule D -- Amended to include new creditors

Amended Mailing Matrix -- Adding new creditors

**EXAMPLE**

John Q. Public  
23 Main Street  
Anywhere, OK 09876  
(405) 555-1212

**UNSWORN DECLARATION UNDER PENALTY OF PERJURY OF INDIVIDUAL**

I, John Q. Public, debtor, certify under the penalty of perjury that I have read the foregoing amended Schedule A (Real Property), Schedule D (Secured Creditors), and amended mailing matrix and find them true and correct to the best of my knowledge, information, and belief.

Executed on Current Date.

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Co-Debtor

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public

Case No. XX-XXXXXX-XX

**CERTIFICATE OF SERVICE**

I, John Q. Public, certify that on the \_\_\_\_ day of \_\_\_\_\_, 2003, a true and exact copy of the amendment was mailed to:

*LIST ALL PARTIES AND THEIR ADDRESSES THAT ARE REQUIRED TO BE NOTICED.*

**EXAMPLE**

\_\_\_\_\_  
John Q. Public,  
123 Main Street  
Anywhere, OK 09876  
(405) 555-1212

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public

Case No. XX-XXXXXX-XX

**VERIFICATION OF THE AMENDED MATRIX**

The above-named debtor(s) hereby verifies that the list of creditors is true and correct to the best of our knowledge.

Date: Current Date

**EXAMPLE**

Debtor  
Joint Debtor, if applicable

XYZ BANK  
PO BOX 12345  
OKLAHOMA CITY OK 73102

RESURRECTION MEMORIAL CEMETERY  
1234 MAIN STREET  
OKLAHOMA CITY OK 73160

EXAMPLE

## **VOLUNTARY CHAPTER 7 CASE**

### **REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES**

#### **FILING FEES \$ 299.00**

( Filing Fee of \$245, Administrative Fee of \$39 and trustee surcharge of \$15). If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. [Official Form 3A or 3B](#) and Rule 1006(b) & (c), Fed.R.Bankr.P. Administrative fee and trustee surcharge, if the debtor is an individual and the court grants the debtor's request, are payable in installments or may be waived

**COPIES REQUIRED:** Original and three copies for court use

**NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND THE REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL**

<b>REQUIREMENT</b>	<b>WHEN REQUIRED TO BE FILED</b>	<b>FORM</b>
Statement of Social Security Number ( <b>ORIGINAL ONLY</b> )	<b>Must be received WITH the petition.</b> Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	Official Form B21
Voluntary Petition	<b>Must be received at filing</b>	Official Form 1
Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b)	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	Official Form B201
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	Official Form B203
Notice to a debtor by "bankruptcy petition preparer"	<b>Must be filed WITH the petition if prepared by a "bankruptcy petition preparer."</b> 11 U.S.C. § 110(b)(2)(B);	Official Form B19B.
Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.	<b>Must be filed WITH the petition if the "bankruptcy petition preparer" prepares the petition.</b> 11 U.S.C. § 110(h)	Official Form B280

Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Assets and Liabilities ( Schedules A - H ).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Current Income and Expenditures. (Schedules I and J )	All debtors must file these schedules. If the debtor is an individual, must be used for this purpose. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.	Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy from Debtor(s)
Declaration Concerning Debtor's Schedules	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Statement of Financial Affairs and Declaration Concerning Debtors Statement of Financial Affairs	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 7
Names and addresses of all creditors of the debtor. (Mailing Matrix)  and  Verification of Mailing Matrix (signed by the debtor(s))	<b>Must be filed WITH the petition.</b> Names and addresses not required if debtor files a schedule of liabilities with the petition. Rule 1007(a), Rule 1007(b) Fed.R.Bankr.P. The form of names and addresses for the list will be stated in a general order (G.O 12-03-96; Fed.R.Bankr.P 1007(a)). Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing) and on paper.	Provided by Debtor       Local Form
Certificate of Credit Counseling and Debt Repayment Plan. ( § 109(h)(3) Certification or § 109(h)(4) Request)	<b>Must be filed WITH the petition.</b> Required from Debtor and Co-Debtor. Required if the debtor is an individual. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy of certificate from debtor(s)

Statement of Current Monthly Income. ( Means Test)	Required if the debtor is an individual with primarily consumer debts. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 22A
Statement of Intention regarding secured property	Required <b>ONLY</b> if the debtor is an individual and the schedules of assets and liabilities contain debts secured by property of the estate or personal property subject to an unexpired lease. Must be filed within 30 days or by the date set for the Section 341 meeting of creditors, whichever is earlier. 11 U.S.C. §§ 362(h). And 521(2)	Official Form 8

### **Lists, schedules, statements and fees to be provided after filing the petition**

1. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 cases and at the same time as filing with taxing authority, a copy of each Federal income tax return or transcript of such return required under applicable law.
2. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, copies of amendments of tax returns.
3. In chapter 13 cases, a sworn statement of the income and expenditures of the debtor during the tax year most recently concluded and the monthly income of the debtor showing how income, expenditures, and come are calculated must be filed within 90 days of the end of the tax year and annually thereafter until the case is closed, not later than 45 days before the anniversary of the confirmation of the plan. The statement will include the amount and sources of the income, the identity of any person responsible with the debtor for the support of any dependent of the debtor, and the identity of any person who contributed, and the amount contributed to the household in which the debtor resides.
4. Upon request of the trustee, documentation establishing the identity of the debtor with photograph and other such personally identifying information relating to the debtor and establishing the identity of the debtor.
5. A certification that an individual debtor in a chapter 7 or 13 proceeding completed an instructional course on personal financial management (with exceptions) (**Official Form 23**).

A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the

United States Trustee, on the Courts web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov) and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustees' website at [www.ust.uscourts.gov](http://www.ust.uscourts.gov).



## **CHAPTER 13 CASE**

### **REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES**

#### **FILING FEE OF \$274.00**

Filing Fee of \$235, Administrative Fee of \$39. ( If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. Official Form 3A and Rule 1006(b), Fed.R.Bankr.P. Administrative fees, if the debtor is an individual and the court grants the debtor's request, are payable in installments.)

#### **COPIES REQUIRED: Original and five copies for court use**

**NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND THE REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL**

<b>REQUIREMENT</b>	<b>WHEN REQUIRED TO BE FILED</b>	<b>FORM</b>
Statement of Social Security Number (ORIGINAL ONLY)	<b>Must be received WITH the petition.</b> Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	<b>Official Form B21</b>
Voluntary Petition	<b>Required at filing</b>	<b>Official Form 1</b>
Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b)	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	<b>Official Form B201</b>
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	<b>Official Form B203</b>
Notice to debtor by "bankruptcy petition preparer"	<b>Must be filed WITH the petition</b> if prepared by a "bankruptcy petition preparer." 11 U.S.C. § 110(b)(2)(B);	<b>Official Form B19B.</b>
Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.	<b>Must be filed WITH the petition</b> if the "bankruptcy petition preparer" prepares the petition. 11 U.S.C. § 110(h)	<b>Official Form B280</b>

Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 6</b>
Schedules of Assets and Liabilities ( Schedules <b>A - H</b> ).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 6</b>
Schedules of Current Income and Expenditures. (Schedules I and J )	All debtors must file these schedules. If the debtor is an individual, must be used for this purpose. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 6</b>
Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.	Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Copy from Debtor(s)</b>
Declaration Concerning Debtor's Schedules	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 6</b>
Statement of Financial Affairs and Declaration Concerning Debtors Statement of Financial Affairs	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 7</b>
Names and addresses of all creditors of the debtor. (Mailing Matrix) and Verification of Mailing Matrix (signed by the debtor(s))	<b>Must be filed WITH the petition.</b> The form of names and addresses for the list shall be stated in a general order (G.O 12- 03-96; Fed.R.Bankr.P 1007(a)). Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing) and on paper.	<b>Provided by Debtor</b>  <b>Local Form</b>
Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) Certification or § 109(h)(4) Request)	Must be filed WITH the petition. Required from Debtor and Co-Debtor. Required if the debtor is an individual. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy of the certificate from debtor(s)

Statement of Current Monthly Income. ( Means Test)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	<b>Official Form 22C</b>
Chapter 13 Plan.	Must be filed with the petition or within 15 days. Rule 3015, Fed.R.Bankr.P.	<b>Provided by Debtor</b>

## **Lists, schedules, statements and fees to be provided after filing the petition**

1. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, a copy of each Federal income tax return or transcript of such return required under applicable law.
2. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, copies of amendments of tax returns.
3. In chapter 13 cases, a sworn statement of the income and expenditures of the debtor during the tax year most recently concluded, and the monthly income of the debtor showing how income and expenditures, are calculated must be filed within 90 days of the end of the tax year and annually thereafter until the case is closed, not later than 45 days before the anniversary of the confirmation of the plan. The statement shall include the amount and sources of the income, the identity of any person responsible with the debtor for the support of any dependent of the debtor, and the identity of any person who contributed, and the amount contributed to the household in which the debtor resides.
4. Upon request of the trustee, documentation establishing the identity of the debtor with photograph and other personally identifying information relating to the debtor and establishing the identity of the debtor.
5. A certification that an individual debtor in a chapter 7 or 13 proceeding completed an instructional course on personal financial management (with exceptions).

A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov) and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee website at [www.ust.uscourts.gov](http://www.ust.uscourts.gov).

## **Lists, schedules, statements and fees to be provided after filing the petition.**

1. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 cases and at the same time as filing with taxing authority, a copy of each Federal income tax return or transcript of such return required under applicable law.
2. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 cases and at the same time as filing with taxing authority, copy of amendments of tax returns.
3. In chapter 13 cases, a sworn statement of the income and expenditures of the debtor during the tax year most recently concluded and the monthly income of the debtor showing how income and expenditures are calculated must be filed within 90 days of the end of the tax year and annually thereafter until the case is closed, not later than 45 days before the anniversary of the confirmation of the plan. The statement shall include the amount and sources of the income, the identity of any person responsible with the debtor for the support of any dependent of the debtor, and the identity of any person who contributed, and the amount contributed to the household in which the debtor resides.
4. Upon request of the trustee, documentation establishing the identity of the debtor with photograph and other personally identifying information relating to the debtor and establishing the identity of the debtor.
5. Not later than the day before the date on which the meeting of creditors is first scheduled in a chapter 13 case, the debtor shall file all tax returns with the appropriate taxing authority.
6. A certification that an individual debtor in a chapter 7 or 13 proceeding completed an instructional course on **Personal Financial Management** (with exceptions).

A completion of a **Financial Management Course**, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov) and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee's website at [www.ust.uscourts.gov](http://www.ust.uscourts.gov).

## **CHAPTER 13 DISCHARGE DOES NOT DISCHARGE**

1. Domestic support obligations (which must be currently owed are paid);
2. Restitution or damages in a civil action against the debtor as a result of willful or malicious injury by the debtor that caused personal injury or death to an individual;
3. If the debtor received a discharge in a case filed under chapter 7, 11, or 12 during a 4-year period

- preceding the date of the order for relief under chapter 13;
4. If the debtor received a discharge in a case filed under chapter 13 during a 2-year period preceding the date of such order;
  5. If the debtor has not completed an instructional course concerning personal financial management unless courses are not available in the debtor's district;
  6. Unless the Court, after notice and a hearing held not more than 10 days before the date of the entry of the discharge order finds that no proceeding is pending against the debtor wherein the debtor will be found guilty of a felony or liable for a debt.

#### **CHAPTER 13 PLANS MAY BE MODIFIED TO:**

1. Increase or reduce the amount of payment of a class of claims
2. Extend or reduce the time for payments;
3. Alter the amount of distribution to a creditor;
4. Reduce amounts to be paid by the actual amount expended by the debtor to purchase health insurance for the debtor or a dependent and files proof of payment.

#### **CHAPTER 13 INSTALLMENT FEE APPLICATION**

See appendix for Official Form 3A.

#### **CHAPTER 13 GUIDELINES**

See [Local Rules/General Orders & Guidelines](http://www.okwb.uscourts.gov) at the Bankruptcy Courts Website [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov).

# APPENDIX

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF OKLAHOMA  
COURT CLERK'S OFFICE**

**FILING FEES**

Chapter 7 .....	\$299.00
Chapter 9 .....	\$1,039.00
Chapter 11 .....	\$1,039.00
Chapter 12 .....	\$239.00
Chapter 13 .....	\$274.00
Chapter 15 (Ancillary Proceeding) .....	\$1,039.00
Abandonment .....	\$ 150.00
Adversary Complaint .....	\$ 250.00
Amendment to Schedules D, E, F, or mailing lists of creditors .....	\$ 26.00
Appeal - .....	\$ 255.00
Includes \$250.00 docketing fees and a \$5.00 Notice fee	
Cross-appeal - .....	\$ 255.00
Includes \$250.00 docketing fee and a \$5.00 Notice fee	
Relief from stay .....	\$150.00
Withdrawal of reference .....	\$150.00

**MISCELLANEOUS FEE SCHEDULE**

Filing or indexing any paper not in a case or proceeding for which a case filing fee has been paid, including registering a judgment from another district .....	\$ 39.00
<b>Application and Order to Appear Pro Hac Vice</b> (Fee must be paid in District Court and a copy of the Receipt must be filed with the application and Order in the Bankruptcy Court) ..	\$ 50.00
Certificate of search (per name or per item) .....	\$ 26.00
Certification of any document .....	\$ 9.00
Exemplification of any document(s) .....	\$ 18.00
Reproducing any record or paper / copies (per page) .....	.50¢
Retrieval of record from Federal Records Center (Ft. Worth, TX) .....	\$ 45.00
Returned check for insufficient funds .....	\$ 45.00

**DECONSOLIDATION**

Deconsolidation of joint petition / division of one case into two. Fee equal to petition fee less \$39.00 administrative fee.

Chapter 7 .....	\$ 220.00
Chapter 9 .....	\$1,000.00
Chapter 11 .....	\$1,000.00
Chapter 12 .....	\$ 200.00
Chapter 13 .....	\$ 150.00

### **CONVERSION AND REOPENING FEE SCHEDULE**

Conversion of Chapter 7 to Chapter 11 at the request of debtor(s) .....	\$ 755.00
Conversion of Chapter 13 to Chapter 11 at the request of debtor(s) .....	\$ 765.00
Conversion of Chapters 9, 11, 12 or 13 to Chapter 7 due upon filing of the Motion to Convert or Notice of Conversion .....	\$ 15.00

Reopening of a case due upon filing a motion to reopen, unless to correct an administrative error of the Court or to file adversary proceeding relating to the dischargeability of a debt. Fee equal to petition fee.

Chapter 7 .....	\$220.00
Chapter 11 .....	\$1,000.00
Chapter 12 .....	\$200.00
Chapter 13 .....	\$150.00

### **RETURN OF COPIES REQUESTED BY FILERS**

COPIES TO BE RETURNED TO FILERS MUST BE RECEIVED AT THE TIME OF FILING IN ADDITION TO THE REQUIRED NUMBER FOR COURT USE AND MUST BE ACCOMPANIED BY A POSTAGE PRE-PAID, SELF-ADDRESSED ENVELOPE OF SUFFICIENT SIZE FOR THE NUMBER OF COPIES REQUESTED. *ALL COPY REQUIREMENT ARE THE COURT'S MINIMUM FOR FILING; INCLUDE YOUR EXTRA COPIES*



**FORM 21. STATEMENT OF SOCIAL SECURITY NUMBER**

**STATEMENT OF SOCIAL SECURITY NUMBER(S)**

1.Name of Debtor (enter Last, First, Middle):\_\_\_\_\_

*(Check the appropriate box and, if applicable, provide the required information.)*

/ /Debtor has a Social Security Number and it is: \_ \_ - \_ - \_ \_ \_ \_

*(If more than one, state all.)*

/ /Debtor does not have a Social Security Number.

2.Name of Joint Debtor (enter Last, First, Middle):\_\_\_\_\_

*(Check the appropriate box and, if applicable, provide the required information.)*

/ /Joint Debtor has a Social Security Number and it is: \_ \_ - \_ - \_ \_ \_ \_

*(If more than one, state all.)*

/ /Joint Debtor does not have a Social Security Number.

I declare under penalty of perjury that the foregoing is true and correct.

X \_\_\_\_\_  
Signature of Debtor Date

X \_\_\_\_\_  
Signature of Joint Debtor Date

\_\_\_\_\_  
*\*Joint debtors must provide information for both spouses.*

*Penalty for making a false statement:* Fine of up to \$250,000 or up to 5 years imprisonment or both. 18  
U.S.C. §§ 152  
and 3571.

# United States Bankruptcy Court Western District Of Oklahoma

In re \_\_\_\_\_, Case No. \_\_\_\_\_  
Debtor Chapter \_\_\_\_\_

## APPLICATION TO PAY FILING FEE IN INSTALLMENTS

1. In accordance with Fed. R. Bankr. P. 1006, I apply for permission to pay the filing fee amounting to \$\_\_\_\_\_ in installments.
2. I am unable to pay the filing fee except in installments.
3. Until the filing fee is paid in full, I will not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.
4. I propose the following terms for the payment of the Filing Fee.\*  
\$\_\_\_\_\_ Check one \_\_\_\_ With the filing of the petition, or  
\_\_\_\_\_ On or before \_\_\_\_\_  
\$\_\_\_\_\_ on or before \_\_\_\_\_  
\$\_\_\_\_\_ on or before \_\_\_\_\_  
\$\_\_\_\_\_ on or before \_\_\_\_\_

\* The number of installments proposed shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after filing the petition. Fed. R. Bankr. P. 1006(b)(2).

5. I understand that if I fail to pay any installment when due, my bankruptcy case may be dismissed and I may not receive a discharge of my debts.

\_\_\_\_\_  
Signature of Attorney Date

\_\_\_\_\_  
Signature of Debtor Date  
(In a joint case, both spouses must sign.)

\_\_\_\_\_  
Name of Attorney

\_\_\_\_\_  
Signature of Joint Debtor (if any) Date

### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section; and (4) I will not accept any additional money or other property from the debtor before the filing fee is paid in full.

\_\_\_\_\_  
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

\_\_\_\_\_  
Address

x \_\_\_\_\_

\_\_\_\_\_  
Signature of Bankruptcy Petition Preparer Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

Form 3A Contd.

(10/05)

# United States Bankruptcy Court Western District Of Oklahoma

## ORDER APPROVING PAYMENT OF FILING FEE IN INSTALLMENTS

\_\_\_\_\_ IT IS ORDERED that the debtor(s) may pay the filing fee in installments on the terms proposed in the foregoing application.

\_\_\_\_\_ IT IS ORDERED that the debtor(s) shall pay the filing fee according to the following terms:

\$ \_\_\_\_\_ Check one With the filing of the petition, or

On or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

IT IS FURTHER ORDERED that until the filing fee is paid in full the debtor(s) shall not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

BY THE COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*United States Bankruptcy Judge*

**APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE  
FOR INDIVIDUALS WHO CANNOT PAY THE FILING FEE  
IN FULL OR IN INSTALLMENTS**

The court fee for filing a case under chapter 7 of the Bankruptcy Code is \$299.

If you cannot afford to pay the full fee at the time of filing, you may apply to pay the fee in installments. A form, which is available from the bankruptcy clerk's office, must be completed to make that application. If your application to pay in installments is approved, you will be permitted to file your petition, completing payment of the fee over the course of four to six months.

If you cannot afford to pay the fee either in full at the time of filing or in installments, then you may request a waiver of the filing fee by completing this application and filing it with the Clerk of Court. A judge will decide whether you have to pay the fee. By law, the judge may waive the fee only if your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. You may obtain information about the poverty guidelines at [www.uscourts.gov](http://www.uscourts.gov) or in the bankruptcy clerk's office.

**Required information.** Complete all items in the application, and attach requested schedules. Then sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, you both must provide information as requested and sign the application.

In re: \_\_\_\_\_  
Debtor(s)

Case No. \_\_\_\_\_  
(if known)

**APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE  
FOR INDIVIDUALS WHO CANNOT PAY THE FILING FEE IN FULL OR IN INSTALLMENTS**

**Part A. Family Size and Income**

1. Including yourself, your spouse, and dependents you have listed or will list on Schedule I (Current Income of Individual Debtors(s)), how many people are in your family? (Do not include your spouse if you are separated AND are not filing a joint petition.) \_\_\_\_\_
2. Restate the following information that you provided, or will provide, on Line 16 of Schedule I. Attach a completed copy of Schedule I, if it is available.

Total Combined Monthly Income (Line 16 of Schedule I): \$ \_\_\_\_\_

3. State the monthly net income, if any, of dependents included in Question 1 above. Do not include any income already reported in Item 2. If none, enter \$0.

\$ \_\_\_\_\_

4. Add the "Total Combined Monthly Income" reported in Question 2 to your dependents' monthly net income from Question 3.

\$ \_\_\_\_\_

5. Do you expect the amount in Question 4 to increase or decrease by more than 10% during the next 6 months? Yes \_\_\_ No \_\_\_

If yes, explain.

**Part B: Monthly Expenses**

6. EITHER (a) attach a completed copy of Schedule J (Schedule of Monthly Expenses), and state your total monthly expenses reported on Line 18 of that Schedule, OR (b) if you have not yet completed Schedule J, provide an estimate of your total monthly expenses.

\$ \_\_\_\_\_

7. Do you expect the amount in Question 6 to increase or decrease by more than 10% during the next 6 months? Yes \_\_\_ No \_\_\_

If yes, explain.

**Part C. Real and Personal Property**

EITHER (1) attach completed copies of Schedules A (Real Property) and Schedule B (Personal Property), OR (2) if you have not yet completed those schedules, answer the following questions.

8. State the amount of cash you have on hand: \$ \_\_\_\_\_

9. State below any money you have in savings, checking, or other accounts in a bank or other financial institution.

Bank or Other Financial Institution:	Type of Account such as savings, checking, CD:	Amount:
_____	_____	\$ _____

10. State below the assets owned by you. **Do not list ordinary household furnishings and clothing.**

Home	Address: _____ _____	Value: \$ _____ Amount owed on mortgages and liens: \$ _____
Other real estate	Address: _____ _____	Value: \$ _____ Amount owed on mortgages and liens: \$ _____
Motor vehicle	Model/Year: _____ _____	Value: \$ _____ Amount owed: \$ _____
Motor vehicle	Model/Year: _____ _____	Value: \$ _____ Amount owed: \$ _____
Other	Description _____ _____	Value: \$ _____ Amount owed: \$ _____

11. State below any person, business, organization, or governmental unit that owes you money and the amount that is owed.

Name of Person, Business, or Organization that Owes You Money	Amount Owed
_____	\$ _____
_____	\$ _____

**Part D. Additional Information.**

12. Have you paid an **attorney** any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes \_\_\_ No \_\_\_  
If yes, how much have you paid? \$ \_\_\_\_\_
13. Have you promised to pay or do you anticipate paying an **attorney** in connection with your bankruptcy case? Yes \_\_\_ No \_\_\_  
If yes, how much have you promised to pay or do you anticipate paying? \$ \_\_\_\_\_
14. Have you paid **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes \_\_\_ No \_\_\_  
If yes, how much have you paid? \$ \_\_\_\_\_

15. Have you promised to pay or do you anticipate paying **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?  
Yes \_\_\_ No \_\_\_  
If yes, how much have you promised to pay or do you anticipate paying? \$ \_\_\_\_\_
16. Has anyone paid an attorney or other person or service in connection with this case, on your behalf?  
Yes \_\_\_ No \_\_\_

If yes, explain.  
Form B3B Cont.  
(04/09/06)

17. Have you previously filed for bankruptcy relief during the past eight years? Yes \_\_\_\_ No \_\_\_\_

Case Number (if known)	Year filed	Location of filing	Did you obtain a discharge? (if known)
_____	_____	_____	Yes ____ No ____ Don't know ____
_____	_____	_____	Yes ____ No ____ Don't know ____

18. Please provide any other information that helps to explain why you are unable to pay the filing fee in installments.

19. I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct.

Executed on: _____	_____
Date	Signature of Debtor
_____	_____
Date	Signature of Co-debtor

-----  
**DECLARATION AND SIGNATURE OF BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

\_\_\_\_\_  
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security No. (Required by  
11 U.S.C. §110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

\_\_\_\_\_  
Address

x \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

United State Bankruptcy Court  
Western District of Oklahoma

In re: \_\_\_\_\_  
Debtor(s)

Case No. \_\_\_\_\_

**ORDER ON DEBTOR'S APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE**

Upon consideration of the debtor's "Application for Waiver of the Chapter 7 Filing Fee," the court orders that the application be:

☐ GRANTED.

This order is subject to being vacated at a later time if developments in the administration of the bankruptcy case demonstrate that the waiver was unwarranted.

☐ DENIED.

The debtor shall pay the chapter 7 filing fee according to the following terms:

\$ \_\_\_\_\_ on or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

\$ \_\_\_\_\_ on or before \_\_\_\_\_

Until the filing fee is paid in full, the debtor shall not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

IF THE DEBTOR FAILS TO TIMELY PAY THE FILING FEE IN FULL OR TO TIMELY MAKE INSTALLMENT PAYMENTS, THE COURT MAY DISMISS THE DEBTOR'S CHAPTER 7 CASE.

☐ SCHEDULED FOR HEARING.

A hearing to consider the debtor's "Application for Waiver of the Chapter 7 Filing Fee" shall be held on \_\_\_\_\_ at \_\_\_\_\_ am/pm at \_\_\_\_\_.

(address of courthouse)

IF THE DEBTOR FAILS TO APPEAR AT THE SCHEDULED HEARING, THE COURT MAY DEEM SUCH FAILURE TO BE THE DEBTOR'S CONSENT TO THE ENTRY OF AN ORDER DENYING THE FEE WAIVER APPLICATION BY DEFAULT.

BY THE COURT:

DATE: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge



**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF OKLAHOMA  
GUIDELINES FOR PREPARATION OF A MAILING MATRIX  
EFFECTIVE JANUARY 10, 2006**

**FILING MATRIX ON DISK**

The debtor shall prepare and submit to the Court a mailing matrix on computer disk (floppy or compact) which complies with the computerized noticing guidelines that follow. The accuracy and completeness of this creditor listing shall be the total responsibility of the debtor and the debtor's attorney. The Court and parties in interest shall rely upon it for all mailings. The disk label should list the case name, attorney's name and include the description of the disk contents as 'Mailing Matrix'. The case number should also be included on the disk label if a number has already been assigned. For Pro Se Debtors, a computer and blank disks are available in the lobby of the Bankruptcy Court

These Guidelines supplement Local Rule 1007.

**SECURITY PRECAUTIONS**

The debtor, the debtor's attorney, and/or the bankruptcy petition preparer shall take every precaution to ensure that no viruses or other computer infections are included on the disk. If viruses are found on the disk, the Court Clerk will inform the judges of the submission.

**WAIVER OF CREDITOR MATRIX DISK REQUIREMENT**

If financial constraints and/or the inability to access the equipment necessary to produce a computer disk would cause an undue hardship on the debtor's attorney or bankruptcy petition preparer assisting the debtor, the debtor, the debtor's attorney, or the debtor's bankruptcy petition preparer may submit a written request to file a scanable paper matrix that complies with these guidelines.

Debtors not represented by an attorney or assisted by a bankruptcy petition preparer may file a matrix on disk or a paper matrix in substantial compliance with these guidelines.

**ADDRESSES FOR FEDERAL AND STATE AGENCIES**

Certain federal and state agencies specify particular addresses to which notice of bankruptcy proceedings should be directed. Use of those addresses is mandatory. The Clerk maintains a roster of State and Federal Agencies at the court's Website at: <http://www.okwb.uscourts.gov>. When listing indebtedness to a federal or state agency not included on the roster, the debtor and the debtor's attorney shall use such address as will affect proper notice to the agency.

**COMPUTER DISK**

The debtor shall provide the Court with a computer-generated disk containing the names and addresses of all creditors and equity security holders. The disk shall be labeled with the debtor's last name, case number and the name of the lead attorney assigned to the case and shall be submitted in an envelope marked with the debtor's last name, case number

and the name of the lead attorney assigned to the case.

The computer disk shall contain the name and complete mailing address of each entity listed as a creditor, equity security holder, Codebtors, or executory contract holder by the debtor.

DO NOT include the following entities since they will be retrieved automatically by the computer for noticing:

Debtor

Joint Debtor (This is a spouse who files a joint case with the debtor at one case number.)

Attorney for the Debtor

Trustee

Attorney for the Trustee

United States Trustee

## **DISK SPECIFICATIONS**

(1) A disk shall be formatted for use on an IBM or compatible PC.

(2) Only one text (.txt) file shall be included on a disk.

(3) Only one case may be included on the disk.

(4) Text files can be created by saving the documents as follows:

For WordPerfect versions 6 through 8, save the document as ASCII DOS text

For Microsoft Word, save the document as MS-DOS or Plain Text

For WordPad, save the document as Text Document-MS-DOS or Text Document Format

For Notepad, save the document as Text Documents

(5) The file must be named with the debtor's last name (i.e.; johnson.txt, smith.txt, etc.) and may be shortened if necessary.

(6) The left margin must be justified.

(7) Top, bottom, left, and right margins must be 1 inch.

(8) The matrix shall be prepared using one of the following fonts in 10- or 12-point size: Courtier, Courier New, CG Times, or Times New Roman.

(9) The information must be five (5) lines or less per creditor.

(10) Each line may contain no more than 40 characters. No leading spaces are permitted.

(11) Each creditor must be separated by at least one blank line. A street address or post office box number must be specified on the line above the city, state and zip code. States should be identified by using the two letter abbreviation. The United States Post Office's scanning equipment may not recognize a building name as an address.

(12) The ZIP code must appear on the last line of the address. Nine-digit ZIP codes should be typed with a hyphen separating the two groups of digits. The 'Attention' line must be placed above the name/address line. The ZIP code must be at the end of the same line as the city and state in order for the U.S. Postal ZIP code sorting equipment to find it.

(13) Be sure to type the number "1" (one) rather than the lower case letter "l" (L) when using numbers.

## EXAMPLES

(DO NOT NUMBER THE LINES. THE LINES ARE NUMBERED HERE AS AN EXAMPLE.)

Line 1: Maria Careless

Line 2: 25 North Aria Blvd.

Line 3: Grecian, NY 80062

Line 4:

Line 5: Charles Smith

Line 6: 3 Winston Street

Line 7: Balmoral, MD 12960

Line 8:

Line 9: Last Bank of San Diego.

Line 10: Attn: Collections Dept

Line 11: 12345 E. Main St.

Line 12: San Diego, CA 92101-1010

Line 13:

Line 14: Kent Clerk

Line 15: 5414 U.S. Steel Tower

Line 16: 600 Grant Street

Line 17: Pittsburgh, PA 15219

The Debtor, or such other person as the Court may order, is responsible to ensure that the mailing matrix is complete and correct.

The inclusions of matrix information as described hereafter may result in a matrix being improperly read by the optical scanner. If this occurs, the debtor will be required to resubmit the matrix in an acceptable format.

Avoid the following:

1. • Extra marks on matrix such as a letterhead, dates, and the debtor's name except in the  
disk label.
2. • Misaligned margins.
3. • Upper case letters. Use upper and lower case letters as you would in a brief.
  - A ZIP code placed anywhere other than on the last line. The ZIP code must be the last entry on the last line. Nine-digit ZIP codes should be typed with a hyphen separating the two groups of digits. The ZIP code must be at the end of the same line as the city and state in order for the U.S. Postal ZIP code sorting equipment to find it.
4. • 'Attention' entered on the wrong line. Do NOT type 'attention' lines or account numbers on the last line. If needed, this information must be placed between the name line and the address line. Account numbers may not exceed 15 characters.
5. • Use of the letter 'l' rather than the number '1'. Be sure to type the number "1" (one) rather than the lower case letter "l" (L) when using numerics.

## **CHECK LIST FOR CREDITOR MATRIX DISK**

If using a third party software package (i.e.; Best Case Solutions, Specialty, E-Z Filing for Windows, Top Form), check with your provider on the best method for creation of the disk.

In most software packages, the save or save as screen will indicate the format of the document (i.e.; Word 5.0 format, WordPerfect 5.1). This box usually appears directly below the name of the file.

The format for all disks must be one of the following formats (depending upon your software): ASCII DOS Text, Plain DOS Text, and Text Only. These are the only formats which will be accepted. WordPerfect or Word formats will not be accepted. After selecting the correct format, save the file.

## **SAMPLE OF CORRECTLY PREPARED CREDITOR LIST MATRIX**

R. U. Alldere, Esq.  
2 Rushin Court  
San Diego, CA 92189

Maria Careless  
25 North Aria Blvd.  
Grecian, NY 80062

Clerk, U.S. Bankruptcy Court  
5414 US Steel Tower  
600 Grant Street  
Pittsburgh, PA 15219

First City National Bank of Beaumont  
P.O. Box 3391  
Beaumont, TX 77704

General Nuisance Elimination  
P.O. Box 1230  
Baltimore, MD 20984

Kelley Appliances  
Attn: Parts Division  
462 9th Avenue, North  
Seattle, WA 98109

## ERRORS TO AVOID IN PREPARING CREDITOR LISTS

Errors	Examples of the Errors	More Errors
<b>PAGE TITLES</b> Do not type a title or other identification in lists.	Debtor: Allnet Svcs. Stephen R. Miller III, Debtor Coal Building 1092 17th Street, NW Carlsbad, CA 92001	<b>TOO LONG</b> A name/address block must be 3 to 5 lines with no more than 40 characters on each line.
<b>ALL UPPER CASE</b> Use upper and lower case (capitals and small letters) as if you were typing a letter.	<b>MULTI-TRONICS</b> <b>ANIMATIONS 3837</b> <b>STRONG WAY NORTH</b> <b>SUITE 10 BALTIMORE,</b> <b>MD 20938</b>	<b>ATTENTION LINE</b> If an attention line is needed, put it on the second line of the address, not at the end or as the first line.
<b>BOLD TYPE</b> Do not use boldface or italics.	Arctic Expeditions Incorporated 536 East 48th Ave. Anchorage, AK 99505  Gow Fire Protection, Inc. 459 North 98th Street Hoquiam, WA 98550 ATTN: Steve Jamison	<b>DIGIT ZIP CODE</b> Separate the two groups of digits with a dash, not a space.
<b>PAGE NUMBER</b> Do not number pages or type anything but creditors on list.		<b>STRAY MARKS</b> No lines, symbols, letterhead, or other non-address data should appear on creditor list.